

**REMARKS**

Reconsideration of this application is respectfully requested. To this end, petition is hereby made for a three month extension of time to respond to the outstanding Final Office Action of December 23, 2009. In addition, a request for continued examination of this application is hereby made, a more formal version of this request being filed with this Amendment After Final Rejection. Although the fees for the extension of time and the request for continued examination are being submitted with this Amendment, the Commissioner is hereby authorized to charge any fee that should have been filed at this time to our Deposit Account No. 14-1140.

Claims 1 – 21 are pending in the application. Upon entry of this Amendment, claims 1, 10, 11, 21 and 32 will be amended, and claims 6, 8 and 36 will be cancelled.

In the outstanding Office Action, the Examiner rejected claims 1-19 and 21 under 35 U.S.C. §112, second paragraph, as being indefinite, arguing that the recitation in such claims of shielding “surrounding the coil, except at least the front end,” introduced a new open ended range for the shield. Given the amendments to claims 1, 10, 11 and 21 in this Amendment, it is believed that the rejection of claims 1-19 and 21 under §112, second paragraph, should now be withdrawn.

The Examiner also rejected, as being unpatentable under 35 U.S.C. §103(a), claims 1-4, 6, 8, 10, 12-14, 16, 18 and 20-21 over Kolbert (US 4,985,922) in view of Zarinetchi (USP 6,324,430), claims 5, 7, 11, 15, 17, 22-31 and 33-36 over Kolbert in view of Zarinetchi “as applied above”, and claims 9, 19 and 32 over Kolbert in view of

Zarinetchi and further in view of Winkler (USP 5,527,348). The Examiner's rejections are respectfully traversed.

Applicant hereby repeats and thus incorporates herein by reference the arguments made in the Amendment filed September 9, 2009. In addition, Applicant notes the following.

In the outstanding Final Office Action, the Examiner maintains his §103(a) obviousness rejection. In particular, in paragraph 11 of the Final office Action, the Examiner states with regard to pending claim 6 "the Examiner considers the top of the housing to be a gable wall that is integrally joined with the core and circular cylindrical walls" in the patent for Kolbert. This is not seen in Kolbert's drawings, nor is it described in the text of Kolbert's patent. Applicant has previously pointed out that if the Examiner's opinion were correct, the magnetic field lines, as seen in Figure 2 of Kolbert, would not extend through the gable, but be confined by the housing.

Also, for claim 8, the Examiner correctly states that in Kolbert "the housing is ferromagnetic". However, pending claim 8 described the shielding as being made of ferrite, *i.e.*, a special ferromagnetic material.

The features described pending claims 6 and 8 have, by this Amendment, been added to claim 1 to distinguish such claim over the cited prior art. Similar features have been added to pending claim 10, 11, 20, 21 and 33.

The Examiner also contends that the two cited documents are within the same technical field, *i.e.*, "the field of transmission of an alternating magnetic field through a

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medium". Kolbert, however, is in the field of transferring signals and power through an aircraft external plate, i.e., for typical non-human applications, whereas Zarinetchi deals with the transfer of energy (not signals) to an implanted device.

In view of the foregoing, it is believed that all of the claims pending in the application, *i.e.*, claims 1 – 5, 7, 9 – 36, are now in condition for allowance, which action is earnestly solicited. If any issues remain in this application, the Examiner is urged to contact the undersigned at the telephone number listed below.

Respectfully submitted,  
**NIXON & VANDERHYE P.C.**

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